## REMARKS

Claims 1, 4-8, and 21-34 are pending in the present application. No claims were canceled; claims 1, 21, 23, 26, 27, 30, 31, and 34 were amended; and no claims were added. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to correct errors and clarify the specification. Specifically, page 12 line 24 was amended to remove the word "Like" since it was redundant in view of the existence of "e.g." previous to it as well as to add the period the belongs after "e" in "e.g." that was inadvertently omitted. Page 15, line 25 was amended to change the misspelled word "o" to "of" as is obviously intended from the context. No new matter has been added by any of the amendments to the specification.

### I. 35 U.S.C. § 102, Anticipation

The examiner has rejected claims 1, 4-8, and 21-34 under 35 U.S.C. § 102 as being anticipated by Jones et al U.S. Patent Application Publication 2002/0188841 (Jones). This rejection is respectfully traversed.

Claims 1, 23, 27, and 31 have been amended to include the limitation that "at least one of the digital assets includes an indication of internal chargeback costs of the digital asset." This feature is not taught or suggested by Jones in paragraphs [0022] or [0042] previously cited by the examiner nor, in fact, does it appear that this feature is taught or suggested by Jones anywhere. A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Therefore, since claims 1, 23, 27, and 31 include a feature not identically shown by Jones, claims 1, 23, 27, and 31 are not anticipated by Jones. Consequently it is respectfully urged that the rejections of claims 1, 23, 27, and 31 have been overcome.

Since claims 4-8, 21, 22, 24-26, 28-30, and 32-34 depend from claim respective ones of claims 1, 23, 27, and 31, the same distinctions between Jones and the claimed invention in claim 1, 23, 27, and 31 apply for these claims as well. Consequently, it is respectfully urged that the rejection of claims 4-8, 21, 22, 24-26, 28-30, and 32-34 have been overcome.

Therefore, the rejection of claims 1, 4-8, an d21-34 under 35 U.S.C. § 102 has been overcome.

## II. 35 U.S.C. § 103, Obviousness

The examiner has rejected claim 6 under 35 U.S.C. § 103 as being unpatentable over Jones et al U.S. Patent Application Publication 2002/0188841 (Jones) in view of Levy et al U.S. Patent Application Publication 2002/0033844 (Levy). This rejection is respectfully traversed.

All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). In comparing Jones and Levy to the claimed invention to determine obviousness, limitations of the presently claimed invention may not be ignored. The present invention in claim 1 recites that "at least one of the digital assets includes an indication of internal chargeback costs of the digital asset." Such a feature is not taught or suggested by Jones or Levy. Claim 6 depends from claim 1 and therefore includes all limitations of claim 1. Therefore, claim 6 is not obvious in view of Jones in view of Levy.

Therefore, the rejection of claim 6 under 35 U.S.C. § 103 has been overcome.

## III. Conclusion

It is respectfully urged that the subject application is patentable over Jones et al., U.S. Patent Application Publication 2002/0188841 and Levy et al. U.S. Patent Application Publication 2002/0033844 and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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